IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 14TH NOVEMBER 2007 / 23RD KARTHIKA 1929

WP(C).No. 33138 of 2007(T)

---

PETITIONER:

---

M/S SILVERSTREAM PLASTICS & CHEMICALS(TEMPLE ROAD, ALUVA)
PONJASSERY P.O., MUDICKAL, PERUMBAVOOR,
REPRESENTED BY ITS MANAGING PARTNER,
M.A.HABEEB.

BY ADV. DR.K.B.MUHAMED KUTTY (SR.)
SRI.K.M.FIROZ

RESPONDENTS:

---

1. THE SPECIAL OFFICER(REVENUE),
THE KERALA STATE ELECTRICITY BOARD,
VYDHYUTHI BHAVAN, PATTAM,
THIRUVANANTHAPURAM-69004

2. THE ASSISTANT ENGINEER,
KSEB, ELECTRICAL SECTION,
VAZHAKKULAM, PERUMBAVOOR, ERNAKULAM-683547

3. THE DEPUTY CHIEF ENGINEER,
KSEB, ELECTRICAL SECTION,
PERUMBAVOOR-683547

4. THE KERALA STATE ELECTRICITY BOARD,
VYDYUTHI BHAVAN, THIRUVANANTHAPURAM,
REPRESENTED BY ITS SECRETARY.

BY ANU SIVARAM FOR R1
SRI.P.P. THAJUDEEN FOR R2 TO R4

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 14/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

**THOTTATHIL B. RADHAKRISHNAN, J**

---

W.P.(C). 33138/2007

---

Dated this the 14th day of November, 2007

**JUDGMENT**

The dispute between the parties is regarding the amount of Rs.2,45,715. 85/- noted as adjustments, if any, against the serial No.9 in Ext.P1 invoice. Ext.P1 does not disclose any reason for that demand. The learned Standing Counsel for the Board, on instructions, submits that there were certain arrears outstanding from 1998. According to the petitioner, it is a case where there was no arrear or demand or, may be even that the petitioner had paid off all amounts. Under such circumstances, it is necessary that the petitioner is given an opportunity of hearing as regards the demand for the said amount.

2. It is submitted that all other amounts due under Ext.P1 has been paid by the petitioner.

3. For the aforesaid reasons, this writ petition is disposed of directing that the enforcement of the demand made in Ext.P1 to the extend of Rs.2,45,715. 85/- and any

accruals thereon will be kept in abeyance for a period of three months, within which the petitioner will be heard by the Special Officer (Revenue) and final decision shall be taken in that regard.

The writ petition is disposed of as above.

**THOTTATHIL B. RADHAKRISHNAN**
**Judge**

mrcs